

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: DOMESTIC DRYWALL
ANTITRUST LITIGATION**

**MDL No. 2437
13-MD-2437**

**THIS DOCUMENT RELATES TO:

DIRECT PURCHASER ACTIONS**

ORDER APPROVING DISTRIBUTION OF THE RESERVE FUND

After review of Direct Purchaser Plaintiffs' ("DPPs") Motion for an Order Authorizing Disposition of the Reserve Fund ("Reserve Distribution Motion"), the Memorandum in support thereof, and the entire record in this matter, IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. The procedures used and actions taken by Claims Administrator Kurtzman Carson Consultants ("KCC") and DPPs' Class Counsel for the administration of the Settlements and initial distribution of the settlement funds are hereby adjudged to have been proper and complete, and the administrative determinations of KCC in accepting and rejecting late Claims filed in this matter are approved.

2. The properly documented reserve fund Claims listed in Exhibit B to the Affidavit of Derek Smith ("Smith Affidavit"), submitted as Exhibit 1 to DPPs' Reserve Distribution Motion, for previously Authorized Claimants with Claims worth more than \$250 that cashed their initial distribution checks are approved. These Claims are henceforth referred to as the Authorized Reserve Fund Claimants.

3. The recommendation by KCC to accept the claims listed in Exhibit C to the Smith Affidavit that were not included in the initial distribution but were the subject of compelling

circumstances, as required by Paragraph 6 of the Order Approving Distribution of the Remaining Settlement Funds, dated December 13, 2019 (the “Initial Distribution Order”), is approved and those claims are accepted. These Claims are henceforth referred to as the Authorized Additional Claimants.

4. KCC is directed to distribute the reserve portion of the Net Settlement Fund to the Authorized Reserve Fund Claimants and Authorized Additional Claimants as delineated on Exhibits B and C of the Smith Affidavit, in accordance with the Plan of Distribution, and each Authorized Reserve Fund Claimant or Additional Claimant shall receive his/her/its share of the Net Settlement Fund calculated by KCC, based on their calculated recognized Claims, after subtracting any payment he/she/it received as part of the Initial Distribution.

5. No additional fees or expenses are to be paid from the reserve portion of the Net Settlement Fund in connection with this Second Distribution.

6. Checks for distribution to the Authorized Reserve Fund Claimants and Additional Claimants shall bear the notation “Non-Negotiable After 90 Days” and no check shall be negotiated from the settlement funds more than 90 days after the date of the check. Any checks that are reissued at the request of the claimant shall bear the notation “Non-Negotiable After 30 Days” and no reissued check shall be negotiated from the settlement funds more than 30 days after the date of the check.

7. One year after this distribution of the reserve portion of the Net Settlement Fund to Authorized Reserve Fund Claimants and Authorized Additional Claimants, KCC may destroy all claim forms and related correspondence. However, KCC shall retain all administrative records, including its copy of the Claimants Listing and its computer database and programs used to create the Claimants Listing, for a period of three (3) years after this distribution of the reserve portion

Additional Claimants.

DONE AND ORDERED this 20th day of August, 2020.

s/ Michael M. Baylson
MICHAEL M. BAYLSON, U.S.D.J.